



# MINUTES

## BUSINESS AND LABOR INTERIM COMMITTEE

Wednesday, October 16, 2019 | 8:30 a.m. | 210 Senate Building

### Members Present:

Sen. Curtis S. Bramble, Chair  
Rep. James A. Dunnigan, Chair  
Sen. Gene Davis  
Sen. Daniel Hemmert  
Sen. Karen Mayne  
Sen. Daniel McCay  
Rep. Susan Duckworth  
Rep. Craig Hall  
Rep. Timothy D. Hawkes  
Rep. A. Cory Maloy  
Rep. Michael K. McKell  
Rep. Calvin R. Musselman  
Rep. Derrin R. Owens

Rep. Tim Quinn  
Rep. Mike Schultz  
Rep. Casey Snider  
Rep. Mark A. Wheatley  
Rep. Mike Winder

### Members Absent:

Sen. Kirk A. Cullimore  
Rep. Francis D. Gibson

### Staff Present:

Mr. Adam J. Sweet, Policy Analyst  
Mr. Gus Harb, Associate General Counsel  
Ms. Amy L. West, Associate General Counsel  
Ms. Leila Reynolds, Administrative Assistant

Note: A copy of related materials and an audio recording of the meeting can be found at [www.le.utah.gov](http://www.le.utah.gov).

Chair Dunnigan called the meeting to order at 8:41 a.m.

## 1 . Committee Business

Sen. Bramble assumed the chair.

**MOTION:** Rep. Winder moved to approve the minutes of the September 18, 2019, meeting. The motion passed with a vote of 12 - 0 - 8.

### Yeas-12

Sen. C. Bramble  
Rep. S. Duckworth  
Rep. J. Dunnigan  
Rep. A. Maloy  
Sen. D. McCay  
Rep. M. McKell  
Rep. C. Musselman  
Rep. D. Owens  
Rep. T. Quinn  
Rep. C. Snider  
Rep. M. Wheatley  
Rep. M. Winder

### Nays-0

### Absent-8

Sen. K. Cullimore  
Sen. G. Davis  
Rep. F. Gibson  
Rep. C. Hall  
Rep. T. Hawkes  
Sen. D. Hemmert  
Sen. K. Mayne  
Rep. M. Schultz

## 2 . Audit Review: Counties' Use of Tourism Promotion Funding

Adam Sweet gave a brief overview of what the purpose of the audit was as well as the action options available to the committee.

Darin Underwood, Deputy Auditor General, Office of the Auditor General, and Leah Blevins, Audit Supervisor, Office of the Auditor General, presented on the Counties' Use of Tourism Promotion Funding audit that was conducted by the Auditor General's office.

[5A - Audit Subcommittee Letter to Chairs](#)[5B - A Performance Audit of Counties' Use of Tourism Promotion Funding \(Office of the Legislative Auditor General\)](#)

The committee asked questions of the presenters.

Chair Bramble opened the meeting to public comment.

Kaitlin Eskelson, Executive Director, Utah Tourism Industry Association, spoke in response of the audit.

The committee asked questions of Kaitlin Eskelson as she responded to the audit.

### **3 . Draft Legislation "Labor Commission Amendments"**

[2A - Labor Commission Amendments \(2020 General Session Draft Legislation\)](#)

Rep. Dunnigan and Christopher C. Hill, Deputy Commissioner and General Counsel, Labor Commission, presented on the draft legislation.

**MOTION:** Rep. Dunnigan moved to adopt the draft legislation as a committee bill. The motion passed with a vote of 15 - 0 - 5.

Yeas-15

Sen. C. Bramble  
Sen. G. Davis  
Rep. S. Duckworth  
Rep. J. Dunnigan  
Rep. C. Hall  
Rep. T. Hawkes  
Rep. A. Maloy  
Sen. D. McCay  
Rep. M. McKell  
Rep. C. Musselman  
Rep. T. Quinn  
Rep. M. Schultz  
Rep. C. Snider  
Rep. M. Wheatley  
Rep. M. Winder

Nays-0Absent-5

Sen. K. Cullimore  
Rep. F. Gibson  
Sen. D. Hemmert  
Sen. K. Mayne  
Rep. D. Owens

### **4 . Draft Legislation "Building Construction Amendments"**

Adam Sweet presented on reasons behind the draft legislation and report the draft legislation is in response to, as well as the draft legislation addressing new federal standards that go into effect in 2021 ahead of that time.

Rep. Snider explained the origins of the draft legislation.

Rep. Musselman asked clarifying questions of Rep. Snider.

Chair Bramble opened the meeting to public comment.

Ted Black, State Fire Marshal's Office, spoke on the matter, stating support for the draft legislation.

Steve Skalko, consulting engineer from Georgia, spoke on behalf of the ready mix concrete industry, advising caution in moving too quickly in adopting the federal standards.

The committee asked questions of the witness.

Rep. Musselman asked a question of Ted Black regarding concerns over the fire rating of timber material in use in construction.

Steve Skalko continued with their comments.

Rep. Dunnigan asked questions of Ted Black to clarify statements made by Steve Skalko.

Rep. Snider asked questions of Steve Skalko.

Steve Skalko made closing comments.

Peter Corroon, spoke favorably of the draft legislation on behalf of the developers in the construction industry.

Brad Stevenson, Executive Director, Utah Ready Mix Concrete Association, and concerned citizen, spoke against the draft legislation.

Rep. Maloy asked a question of Peter Corroon.

**MOTION:** Sen. Davis moved to open a committee bill file on the tourism audit recommendations

Discussion on the motion occurred. Sen. Davis withdrew his motion.

## **5 . Required Reports**

[6A - Regulatory Sandbox Annual Report \(Source: Department of Commerce\)](#)

[6B - Annual Report of the Occupational and Professional Licensure Review Committee](#)

[6D - Annual Report of the Worker Classification Coordinated Enforcement Council](#)

[6E - Annual Report of the Workers' Compensation Advisory Council](#)

[6F - Preliminary Report of Education and Training Standards for State Plumbing Apprenticeship Programs \(Source: Division of Occupational and Professional Licensing\)](#)

[6G - Preliminary Report of Education and Training Standards for State Electrical Apprenticeship Programs \(Source: Division of Occupational and Professional Licensing\)](#)

[6H - Annual Report of the Utah Residence Lien Recovery Fund \(Source: Division of Occupational and Professional Licensing\)](#)

[6I - Annual Report of the Rocky Mountain Center for Occupational and Environmental Health](#)

**MOTION:** Rep. Schultz moved to open a committee bill file to address swimming pool building code amendments, later clarifying the motion to simply "building code amendments." The committee discussed the motion and committee staff made clarifying comments. The motion passed with a vote of 11 - 0 - 9.

Yeas-11

Sen. C. Bramble  
Sen. G. Davis  
Rep. C. Hall  
Rep. A. Maloy  
Sen. K. Mayne  
Rep. D. Owens  
Rep. T. Quinn  
Rep. M. Schultz  
Rep. C. Snider  
Rep. M. Wheatley  
Rep. M. Winder

Nays-0Absent-9

Sen. K. Cullimore  
Rep. S. Duckworth  
Rep. J. Dunnigan  
Rep. F. Gibson  
Rep. T. Hawkes  
Sen. D. Hemmert  
Sen. D. McCay  
Rep. M. McKell  
Rep. C. Musselman

**6 . Audit Follow-up: Department of Financial Institution's Regulation of the Payday Loan Industry**

Adam Sweet summarized the purpose of the audit and spoke on the options available to the committee regarding actions based on the recommendations of the auditors.

Darin Underwood, Deputy Auditor General, Office of the Legislative Auditor General, and Jim Behunin, Audit Supervisor, Office of the Legislative Auditor General, presented the audit report follow-up and recommendations.

[4A - Audit Subcommittee Letter to Chairs](#)[4B - A Limited Follow Up of Audit 2019-04 - A Performance Audit of The Department of Financial Institution's Regulation of the Payday Loan Industry \(Office of the Legislative Auditor General\)](#)[4C - A Performance Audit of The Department of Financial Institution's Regulation of the Payday Loan Industry \(Office of the Legislative Auditor General\)](#)

The committee asked questions of the presenters as they presented.

Paul Allred, Deputy Commissioner, Department of Financial Institutions, and Paul Cline, Supervisor of Money Services Businesses, Department of Financial Institutions, responded to the audit follow-up.

The committee asked questions of the respondents.

Chair Bramble opened the meeting to public comment.

Wendy Gibson, member of the lending industry, spoke on behalf of the Utah Consumer Lending Association, commented that the current legislation is working.

The committee asked questions of the witness.

Bill Tibbitts, Associate Director, Crossroads Urban Center, spoke on the matter, asking to focus research on ways to incorporate the lending industry to help serve portions of the population that are below the poverty level in constructive ways.

**7 . Other Items**

**MOTION:** Rep. Hall moved to adjourn. The motion passed with a vote of 13 - 0 - 7.

Yeas-13

Sen. C. Bramble  
Sen. K. Cullimore  
Rep. S. Duckworth  
Rep. J. Dunnigan  
Rep. C. Hall  
Rep. A. Maloy  
Sen. K. Mayne  
Rep. D. Owens  
Rep. T. Quinn  
Rep. M. Schultz  
Rep. C. Snider  
Rep. M. Wheatley  
Rep. M. Winder

Nays-0Absent-7

Sen. G. Davis  
Rep. F. Gibson  
Rep. T. Hawkes  
Sen. D. Hemmert  
Sen. D. McCay  
Rep. M. McKell  
Rep. C. Musselman

The meeting adjourned at 11:25 a.m.